

**Meeting of the Central Valley Flood Protection Board
June 20, 2008**

**Draft Staff Report
DWR Floodway Protection Section**

Item

Consider approval of Permit No. 18280 to install two discharge pipes through the left (east) bank levee and tie into the existing outfall structure and to place riprap on the left (east) bank of the Feather River in Yuba County.

Applicant

Reclamation District No. 784

Location

The project is located west of Rio Oso, and southwest of Feather River Boulevard. (Yuba County, Feather River) (see Attachment B).

Description

To install two 36-inch-diameter HDPE discharge pipes through the left (east) bank levee and tie into the existing outfall structure and place riprap on the left (east) bank.

Agency Comments and Endorsements:

- The U. S. Army Corps of Engineers endorsement has not been received but is anticipated to be received prior to the June 20, 2008 Board meeting.
- Reclamation District No. 784 has endorsed this application.

CEQA Compliance:

Board staff should be able to complete CEQA review for this application prior to the Board meeting.

Section 8610.5 Compliance

1. Evidence that the Board admits into its record from any party, State or local public agency, or nongovernmental organization with expertise in flood or flood plain management:

The Board will make its decision based on the evidence in the permit application and attachments, this staff report, and any other evidence presented by any individual or group.

2. The best available science that related to the scientific issues presented by the executive officer, legal counsel, the Department or other parties that raise credible scientific issues.

The accepted industry standards for the work proposed under this permit as regulated by Title 23 have been applied to the review of this permit.

3. Effects of the decision on the entire State Plan of Flood Control:

This project has no effects on the State Plan of Flood Control.

4. Effects of reasonable projected future events, including, but not limited to, changes in hydrology, climate, and development within the applicable watershed:

None.

Staff Recommendation

The Staff recommendation will be forthcoming pending completion of CEQA review.

List of Attachments

- A. Draft Permit
- B. Location map

DRAFT

STATE OF CALIFORNIA
THE RESOURCES AGENCY
CENTRAL VALLEY FLOOD PROTECTION BOARD

PERMIT NO. 18280 BD

This Permit is issued to:

Reclamation District No. 784
1594 Broadway Road
Marysville, California 95901

To install two 36-inch-diameter HDPE discharge pipes through the left (east) bank levee and tie into the existing outfall structure; and place riprap on the bank. The project is located west of Rio Oso, and southwest of Feather River Boulevard (Section 19, T13N, R4E, MDB&M, Reclamation District 784, Feather River, Yuba County).

NOTE: Special Conditions have been incorporated herein which may place limitations on and/or require modification of your proposed project described above.

(SEAL)

Dated: _____

Executive Officer

GENERAL CONDITIONS:

ONE: This permit is issued under the provisions of Sections 8700 – 8723 of the Water Code.

TWO: Only work described in the subject application is authorized hereby.

THREE: This permit does not grant a right to use or construct works on land owned by the Sacramento and San Joaquin Drainage District or on any other land.

FOUR: The approved work shall be accomplished under the direction and supervision of the State Department of Water Resources, and the permittee shall conform to all requirements of the Department and the Central Valley Flood Protection Board.

FIVE: Unless the work herein contemplated shall have been commenced within one year after issuance of this permit, the Board reserves the right to change any conditions in this permit as may be consistent with current flood control standards and policies of the Central Valley Flood Protection Board.

SIX: This permit shall remain in effect until revoked. In the event any conditions in this permit are not complied with, it may be revoked on 15 day's notice.

SEVEN: It is understood and agreed to by the permittee that the start of any work under this permit shall constitute an acceptance of the conditions in this permit and an agreement to perform work in accordance therewith.

EIGHT: This permit does not establish any precedent with respect to any other application received by the Central Valley Flood Protection Board.

NINE: The permittee shall, when required by law, secure the written order or consent from all other public agencies having jurisdiction.

TEN: The permittee is responsible for all personal liability and property damage which may arise out of failure on the permittee's part to perform the obligations under this permit. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the permittee shall defend and shall hold each of them harmless from each claim.

ELEVEN: The permittee shall exercise reasonable care to operate and maintain any work authorized herein to preclude injury to or damage to any works necessary to any plan of flood control adopted by the Board or the Legislature, or interfere with the successful execution, functioning or operation of any plan of flood control adopted by the Board or the Legislature.

TWELVE: Should any of the work not conform to the conditions of this permit, the permittee, upon order of the Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein approved.

SPECIAL CONDITIONS FOR PERMIT NO. 18280 BD

THIRTEEN: When work is proposed on land owned in fee by the Central Valley Flood Protection Board, the permittee shall secure an easement, license, or temporary entry permit from the Central Valley Flood Protection Board prior to commencement of work. Contact Linus paulus at (916) 653-3947.

FOURTEEN: All work approved by this permit shall be in accordance with the submitted drawings and specifications except as modified by special permit conditions herein. No further work, other than that approved by this permit, shall be done in the area without prior approval of the Central Valley Flood Protection Board.

FIFTEEN: The permittee shall maintain the permitted encroachment(s) and the project works within the utilized area in the manner required and as requested by the authorized representative of the Department of Water Resources or any other agency responsible for maintenance.

SIXTEEN: The permittee shall contact the Department of Water Resources by telephone, (916) 574-1213, and submit the enclosed postcard to schedule a preconstruction conference. Failure to do so at least 10 working days prior to start of work may result in delay of the project.

SEVENTEEN: The permittee shall provide supervision and inspection services acceptable to the Central Valley Flood Protection Board. A professional engineer registered in the State of California shall certify that all work was inspected and performed in accordance with submitted drawings, specifications, and permit conditions.

EIGHTEEN: Upon completion of the project, the permittee shall submit as-built drawings to: Department of Water Resources, Flood Project Inspection Section, 3310 El Camino Avenue, Suite

LL30, Sacramento, California 95821.

NINETEEN: The Central Valley Flood Protection Board and Department of Water Resources shall not be held liable for any damages to the permitted encroachment(s) resulting from flood fight, operation, maintenance, inspection, or emergency repair.

TWENTY: The permittee may be required, at permittee's cost and expense, to remove, alter, relocate, or reconstruct all or any part of the permitted encroachment(s) if removal, alteration, relocation, or reconstruction is necessary as part of or in conjunction with any present or future flood control plan or project or if damaged by any cause. If the permittee does not comply, the Central Valley Flood Protection Board may remove the encroachment(s) at the permittee's expense.

TWENTY-ONE: The permittee should contact the U.S. Army Corps of Engineers, Sacramento District, Regulatory Branch, 1325 J Street, Sacramento, California 95814, telephone (916) 557-5250, as compliance with Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act may be required.

TWENTY-TWO: The permittee shall be responsible for repair of any damages to the project levee and other flood control facilities due to construction, operation, or maintenance of the proposed project.

TWENTY-THREE: The permittee is responsible for all liability associated with construction, operation, and maintenance of the permitted facilities and shall defend and hold harmless the State of California, or any departments thereof, from any liability or claims of liability associated therewith.

TWENTY-FOUR: If the project, or any portion thereof, is to be abandoned in the future, the permittee or successor shall abandon the project under direction of the Central Valley Flood Protection Board and Department of Water Resources, at the permittee's or successor's cost and expense.

TWENTY-FIVE: The permitted encroachment(s) shall not interfere with operation and maintenance of the flood control project. If the permitted encroachment(s) are determined by any agency responsible for operation or maintenance of the flood control project to interfere, the permittee shall be required, at permittee's cost and expense, to modify or remove the permitted encroachment(s) under direction of the Central Valley Flood Protection Board or Department of Water Resources. If the permittee does not comply, the Central Valley Flood Protection Board may modify or remove the encroachment(s) at the permittee's expense.

TWENTY-SIX: No construction work of any kind shall be done during the flood season from November 1 to April 15 without prior approval of the Central Valley Flood Protection Board.

TWENTY-SEVEN: Cleared trees and brush shall be completely burned or removed from the floodway, and downed trees or brush shall not remain in the floodway during the flood season from November 1 to April 15.

TWENTY-EIGHT: High-density polyethylene pipe may be used for pipeline of conduit installations provided the following conditions are met: (a) high-density polyethylene pipeline or conduit joints must be heat or electrofusion welded (ASTM Standard F1055-93, dated 1993 or D3261-93, dated 1993), (b) high-density polyethylene pipelines and conduits must be designed to resist all anticipated loading

conditions, and (c) high-density polyethylene pipelines and conduits must be ultraviolet radiation protected.

TWENTY-NINE: High-density polyethylene pipe shall be stored in a manner to protect from ultraviolet radiation.

THIRTY: Each pipe shall be placed in the center of an open trench 2 times the diameter of the pipe.

THIRTY-ONE: The pipeline shall be tested and confirmed free of leaks by X-ray, pressure tests, or other approved methods during construction or anytime after construction upon request by the Central Valley Flood Protection Board.

THIRTY-TWO: The invert of the pipes through the levee section shall be above the design flood plane elevation of 55.6 feet, NGV Datum.

THIRTY-THREE: All pipe joints within the levee section shall be butt welded.

THIRTY-FOUR: The pipes shall be installed through the levee section at a right angle to the centerline of the levee.

THIRTY-FIVE: The pipes shall be buried at least 12 inches below the levee slopes and 24 inches below the levee crown.

THIRTY-SIX: Only impervious material shall be used for bedding or backfill within the levee section.

THIRTY-SEVEN: Backfill material for excavations within the levee section and within 10 feet of the levee toes shall be placed in 4- to 6-inch layers, moisture conditioned above optimum moisture content, and compacted to a minimum of 90 percent relative compaction as measured by ASTM Method D1557-91.

THIRTY-EIGHT: Density tests by a certified materials laboratory will be required to verify compaction of backfill within the levee section and within 10 feet of the levee toes.

THIRTY-NINE: A positive-closure device that is readily accessible during periods of high water shall be installed on the waterward side of the levee for each pipe.

FORTY: The permittee shall be responsible for all damages due to settlement, consolidation, or heave from any construction-induced activities.

FORTY-ONE: The permittee shall replant or reseed the levee slopes to restore sod, grass, or other non-woody ground covers if damaged during project work.

FORTY-TWO: All debris generated by this project shall be disposed of outside the floodway and off the levee section.

FORTY-THREE: The project site shall be restored to at least the condition that existed prior to commencement of work.

FORTY-FOUR: The permittee shall comply with all conditions set forth in the letter from the Department of the Army dated June XX, 2008, which is attached to this permit as Exhibit A and is incorporated by reference.

